



Kevin Murray
<kmurray@chapman.co
m>

06/07/2007 04:14 PM

To Peggy Livingston/ENF/R8/USEPA/US@EPA

cc

bcc

Subject

History: This message has been forwarded.

Peggy,

I agree with Matt that recently I agreed to a higher stipulated penalty amount for another client at another site. However, I have looked at all three AOCs that United Park has entered into to date, the stipulated penalty provisions in all of those agreement have been:

\$250 (7 days)
\$500 (8-14th day)
\$1,000 (15th -30th)
\$2,000 (after)

So, it is a bit of a hard sale to go back to them and say EPA wants bigger penalties when UPK has remained cooperative through the years and have performed on all of the agreements to date. In light of the history here, what is the reasoning for the \$20,000 stip?

Kevin R. Murray
Chapman and Cutler LLP
312-917-7654
801-320-6754
kmurray@chapman.com

CIRCULAR 230 DISCLOSURE:

ANY STATEMENTS REGARDING TAX MATTERS MADE HEREIN, INCLUDING ANY ATTACHMENTS, CANNOT BE RELIED UPON BY ANY PERSON TO AVOID TAX PENALTIES AND ARE NOT INTENDED TO BE USED OR REFERRED TO IN ANY MARKETING OR PROMOTIONAL MATERIALS. TO THE EXTENT THIS COMMUNICATION CONTAINS A TAX STATEMENT OR TAX ADVICE, CHAPMAN AND CUTLER LLP DOES NOT AND WILL NOT IMPOSE ANY LIMITATION ON DISCLOSURE OF THE TAX TREATMENT OR TAX STRUCTURE OF ANY TRANSACTIONS TO WHICH SUCH TAX STATEMENT OR TAX ADVICE RELATES.

Chapman and Cutler LLP is an Illinois limited liability partnership that has elected to be governed by the Illinois Uniform Partnership Act (1997).

NOTICE OF CONFIDENTIALITY: The information contained in this email transmission is confidential information which may contain information that is legally privileged and exempt from disclosure under applicable law. The information is intended solely for the use of the individual or entity named above. If you are not the intended recipient, you are hereby

notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this email transmission is strictly prohibited. If you have received this email transmission in error, please notify us immediately by telephone to arrange for the return of the original transmission to us.